

Docket No. 05-0407
Quality Exhibit 4.11

220 ILCS 50/2.3 - Excavation
Illinois Underground Utility Facilities Damage Prevention Act

isions

nt incorporates the Act. Central Illinois Public
vice Co. v. Illinois Commerce Com'n, App. 4
t.2003, 277 Ill.Dec. 197, 342 Ill.App.3d 617, 795
3.2d 865, rehearing denied, appeal denied 2004
.149037. Electricity 8.1(2.1)

upplier, as that term is defined in Section
d remitting to the State of Illinois for each
Electricity Excise Tax Law¹ shall not be
9 of this Act.

, § 1, eff. July 1, 1967. Amended by P.A. 85-
5, eff. Dec. 8, 2000.

itory Notes

This Act takes effect upon becoming law. This
is a technical amendment to the Electric Sup-
r Act and carries out the legislative intent ex-
ised in Public Act 90-561, and accordingly shall
y beginning August 1, 1998, the effective date
he Electricity Excise Tax Act, Public Act 90-

**ND UTILITY FACILITIES
TION ACT****ion**

- . Emergency excavation or demolition.
- . Damage or dislocation.
- . Liability or financial responsibility.
- 0. Record of notice; marking of facilities.
- 1. Penalties; liability; fund.
- 1.3. Emergency telephone system outages;
reimbursement.
- 3. Mandamus or injunction.
- 4. Home rule.

e context clearly otherwise requires, the
he meanings ascribed to them in those

9, § 5, eff. July 1, 2002.

nd utility facilities" or "facilities" means
its, pipes, sewers, and cables and their
ce of the ground by a public utility (as is
ended),¹ or by a municipally owned or
ervice, except an electric cooperative as
led, or by a pipeline entity transporting

gases, crude oil, petroleum products, or other hydrocarbon materials within the State or by a
telecommunications carrier as defined in the Universal Telephone Service Protection Law of
1985,² or by a company described in Section 1 of "An Act relating to the powers, duties and
property of telephone companies", approved May 16, 1903,³ as amended, or by a community
antenna television system, hereinafter referred to as "CATS", as defined in the Illinois
Municipal Code, as amended.⁴

P.A. 86-674, § 2.2, eff. Jan. 1, 1991. Amended by P.A. 92-179, § 5, eff. July 1, 2002.

Formerly Ill.Rev.Stat.1991, ch. 111 §, ¶ 1602.2.

¹ 220 ILCS 5/1-101 et seq.

² 220 ILCS 5/13-100 et seq.

³ 220 ILCS 65/0.01.

⁴ 65 ILCS 5/1-1-1 et seq.

Law Review and Journal Commentaries

JULIE, digger and liability for damage to buried
utilities. William F. Zieske, 90 Ill.B.J. 354 (July
2002).

50/2.3. Excavation

§ 2.3. Excavation. "Excavation" means any operation in which earth, rock, or other
material in or on the ground is moved, removed, or otherwise displaced by means of any tools,
power equipment or explosives, and includes, without limitation, grading, trenching, digging,
ditching, drilling, augering, boring, tunneling, scraping, cable or pipe plowing, and driving but
does not include farm tillage operations or railroad right-of-way maintenance or operations or
coal mining operations regulated under the Federal Surface Mining Control and Reclamation
Act of 1977¹ or any State law or rules or regulations adopted under the federal statute, or
land surveying operations as defined in the Illinois Professional Land Surveyor Act of 1989²
when not using power equipment.

P.A. 86-674, § 2.3, eff. Jan. 1, 1991. Amended by P.A. 86-1195, § 4, eff. Aug. 29, 1990; P.A. 87-125, § 1,
eff. Jan. 1, 1992; P.A. 92-179, § 5, eff. July 1, 2002.

Formerly Ill.Rev.Stat.1991, ch. 111 §, ¶ 1602.3.

¹ 30 U.S.C.A. §1201 et seq.

² 225 ILCS 330/1 et seq.

Law Review and Journal Commentaries

JULIE, digger and liability for damage to buried
utilities. William F. Zieske, 90 Ill.B.J. 354 (July
2002).

50/2.4. Demolition**Law Review and Journal Commentaries**

JULIE, digger and liability for damage to buried
utilities. William F. Zieske, 90 Ill.B.J. 354 (July
2002).

50/2.6. Emergency locate request

§ 2.6. Emergency locate request. "Emergency locate request" means a locate request for
any condition constituting an imminent danger to life, health, or property, or a utility service
outage, and which requires immediate repair or action.

P.A. 86-674, § 2.6, added by P.A. 92-179, § 5, eff. July 1, 2002.

50/2.7. Tolerance zone

§ 2.7. Tolerance zone. "Tolerance zone" means the approximate location of underground
utility facilities or CATS facilities defined as a strip of land at least 3 feet wide, but not wider
than the width of the underground facility or CATS facility plus 1-½ feet on either side of
such facility based upon the markings made by the owner or operator of the facility.